



REPORT ON THE NEAR FATALITY OF:

[REDACTED]

Date of Birth: 9/09/2017
Date of Incident: 11/14/2017
Date of Report to ChildLine: 11/14/2017
CWIS Referral ID: [REDACTED]

FAMILY KNOWN or NOT KNOWN TO COUNTY CHILDREN AND YOUTH AGENCY AT TIME OF INCIDENT OR WITHIN THE PRECEDING 16 MONTHS:

Delaware County Children and Youth Services

REPORT FINALIZED ON:

5/24/2018

Unredacted reports are confidential under the provisions of the Child Protective Services Law and cannot be released to the public.
(23 Pa. C.S. Section 6340)

Unauthorized release is prohibited under penalty of law.
(23 Pa. C.S. Section 6349 (b))

Reason for Review:

Pursuant to the Child Protective Services Law, the Department, through OCYF, must conduct a review and provide a written report of all cases of suspected child abuse that result in a fatality or near fatality. This written report must be completed as soon as possible but no later than six months after the date the report was registered with ChildLine for investigation.

The Child Protective Services Law also requires that county children and youth agencies convene a review when a report of child abuse involving a fatality or near fatality is substantiated or when a status determination has not been made regarding the report within 30 days of the report to ChildLine.

Delaware County has convened a review team in accordance with the Child Protective Services Law related to this report. The county review team was convened on 12/06/2017.

Family Constellation:

<u>First and Last Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Victim Child	09/09/2017
[REDACTED]	Sibling	[REDACTED] 2016
[REDACTED]*	Sibling	[REDACTED] 2009
[REDACTED]	Mother	[REDACTED] 1987
[REDACTED]	Father	[REDACTED] 1994

* Denotes an individual that is not a household member or did not live in the home at the time of the incident, but is relevant to the report.

Summary of OCYF Child Near-Fatality Review Activities:

The Southeast Regional Office of Children, Youth and Families reviewed the case file, including medical records, case notes, and other documentation, and spoke to county staff on 5/2/2018 and 5/11/2018.

Summary of circumstances prior to Incident:

On 08/15/2013, Delaware County Children and Youth Services received a Child Protective Services report regarding the oldest child, stating that the mother was incarcerated, and the child would not have a caregiver if the mother were to be incarcerated for a long time. The case was closed and it was determined that the family was not in need of services. The maternal cousin, who had been caring for the child, was given custody of the child.

Circumstances of Child Near-Fatality and Related Case Activity:

On 11/14/2017, Delaware County Children, Youth and Families received a Child Protective Services report stating that the father had said he was taking the child to

the pediatrician for shots. The father realized that he had arrived on the wrong day, and then took the child to the mother's home. The mother threatened to abandon the child on the steps of the apartment. The father and mother started fighting. The father hit the apartment wall, then the mother tried to hit the father while she was holding the child. The mother dropped the child down 5 cement steps outside the apartment. A bystander called the police. An ambulance arrived and transported the child to a local hospital, where the child was found to have an intracranial hemorrhage. A physician certified that the child was in serious or critical condition, and it was unknown if the child was expected to survive. It was reported that the mother said the father "pushed the baby" to the mother, and then the father swung at the mother, causing the child to fall out of the mother's hands. The reporting source also stated that it appeared that the parents did not have the necessary supplies or support to care for the child.

On 11/14/2017, Delaware County staff met with the mother and the maternal aunt at the hospital. The mother reported that when she brought the child home from the hospital, she found out via social media that the father of her other two children had passed away. The previous week, she and the victim child's father got into an argument about the other children's father, which resulted in the mother kicking the victim child's father out of the home. The mother stated that he took the victim child to get shots on the wrong day, and then he arrived at her house and shoved the child in her face, yelling and walking away. The father then ran back to the porch, and began hitting her in the face. At some point, he snatched the child back and dropped the child.

On 11/14/2017, Delaware County staff participated in an interview with the mother and Darby Borough law enforcement.

On 11/15/2017, Delaware County staff attempted to contact the father, who was incarcerated at a local correctional facility.

On 11/17/2017, Delaware County staff met with a maternal relative to evaluate that relative's home for the children to stay in the home. The home was found to be appropriate for the children.

On 11/20/2017, Delaware County staff contacted the pediatrician, and was told that both children were current on medical treatment.

On 11/20/2017, Maternal Grandmother met with Delaware County staff to sign the safety plan.

On 12/14/2017, the victim child's sibling received [REDACTED], and the child was found to have no injuries.

On 12/14/2017, Delaware County staff spoke with the father at the correctional facility. The father stated that on the day of the incident, he had a verbal argument with the mother about taking the child to the doctor. The father stated that the argument became physical. He and the mother were hitting each other, and the

victim child dropped to the ground, at which point, the father went down the steps to get [REDACTED].

On 01/11/2018, Delaware County staff determined that the investigation was Indicated on both parents for causing a reasonable likelihood of bodily injury to the child.

The father has been arrested and charged with Aggravated Assault, Simple Assault, Recklessly Endangering Another Person, and Endangering the Welfare of a Child. The mother was charged with Endangering the Welfare of a Child, two counts of Simple Assault, Harassment, and Disorderly Conduct, but all charges were dropped.

The victim child is doing well, and has not had any medical issues or known delays resulting from the incident.

The victim child and [REDACTED] sibling are both with the mother, who is supervised during the day by family members, and she appears to be following the safety plan. The mother is receiving [REDACTED] and parenting classes. The father is still incarcerated, and the mother was briefly incarcerated. The children [REDACTED] for a month. [REDACTED] while the mother has a strong support system, her family members [REDACTED].

The oldest child [REDACTED] since the 2013 investigation.

County Strengths, Deficiencies and Recommendations for Change as Identified by the County's Child Near-Fatality Report:

- Strengths in compliance with statutes, regulations and services to children and families;

The team acknowledged a strong collaboration with local law enforcement and [REDACTED] during this investigation.

- Deficiencies in compliance with statutes, regulations and services to children and families;

It is recommended medical professional, specifically in hospital emergency departments, complete additional mandated reported training.

Consider reformatting the CY-47 to provide individual sections for Fatality or Critical Condition, rather than a combined selection. The team is concerned professionals are selecting criteria that may not be applicable to the current condition. Additional descriptions of conditions on the CY-47 may be helpful to the reporting source.

- Recommendations for changes at the state and local levels on reducing the likelihood of future child fatalities and near fatalities directly related to abuse;

Recommendations for change are for funding sources to direct their attention toward domestic violence and parent education to promote the safety and well-being of children.

- Recommendations for changes at the state and local levels on monitoring and inspection of county agencies; and

none identified

- Recommendations for changes at the state and local levels on collaboration of community agencies and service providers to prevent child abuse.

none identified

Department Review of County Internal Report:

The Department concurs with the county internal report.

Department of Human Services Findings:

- County Strengths: The county worker conducted a thorough, compassionate investigation, and coordinated well with law enforcement. The worker also showed persistence in contacting the father, who was incarcerated.
- County Weaknesses: and None identified
- Statutory and Regulatory Areas of Non-Compliance by the County Agency.
None identified

Department of Human Services Recommendations:

It was noted that the county worker made a number of attempts to contact the father, who was incarcerated in a correctional facility in the same county where the investigation occurred. It is recommended that the county make efforts to coordinate communication with prison facilities to facilitate the work of Delaware County caseworkers.